

REMARKS

In this amendment, Claims 15 and 23 have been amended, Claims 18, 25, 27, 32 and 35 have been canceled, and new Claims 38 – 41 have been added. Claims 15 – 17, 19 – 24, 26, 33-34, and 36-41 are pending.

In the Final Office Action mailed September 21, 2005, all claims were rejected as obvious in view of US 2004/0093042 (Altshuler et al) in view of US 6,120,497 (Anderson et al).

Claims 15 and 23, as amended, include the steps of

cooling the transmissive material for a predetermined time period after the termination of the transmission of light to the skin; and

providing a visual indication, and discontinuing the visual indication after the end of the predetermined time period.

Each of the dependent claims is dependent from Claim 15 or 23 and thus also includes this feature.

At page 3 of the Office Action identifies, the Examiner points to a passage of Altshuler referring to real time monitoring of cooling. According to the specific passage, found at [0051],

“sensors or other monitoring devices may also be embedded in cooling mechanism 4, for example; to monitoring the temperature or determine the degree of cooling required by tissue 31”. According to the Office Action, this teaching “is interpreted as capable of providing a visual indication of cooling.” However, the cited passage fails to disclose any teaching of cooling the transmissive material for a *predetermined time period* after the termination of the transmission of light to the skin, providing a visual indication, and discontinuing the visual indication after the end of the predetermined time period. This claimed feature is beneficial in that it allows the skin to be adequately cooled by informing the user that the handpiece should not be lifted from the skin while post-treatment cooling is performed. Since (as recognized in the Office Action) neither of the cited references teaches cooling the tissue following irradiation, there can be no fair suggestion in the references for providing a visual indication until such time as a pre-determined post-treatment cooling period has ended. Thus, all claims are believed allowable over the cited art.

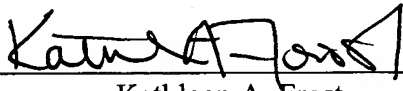
Conclusion

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the pending claims and a notice of allowance are respectfully requested.

Respectfully submitted,

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